



1 Electronically Filed _____
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4 Entered on Docket
5 November 02, 2009
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Bruce A. Markell

8 Hon. Bruce A. Markell
9 United States Bankruptcy Judge
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21 U.S. Bank National Association, as Trustee for Credit Suisse First Boston, MBS ARMT 2005-2
22 09-75074 / 1205089626
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25 **UNITED STATES BANKRUPTCY COURT**
26 **DISTRICT OF NEVADA**

27 In Re:
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30 Jose A. Saucedo and Maria Luisa Saucedo
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33 BK-S-09-18785-bam
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36 MS Motion No.
37 Date:
38 Time:
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41 Chapter 13
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44 Debtors.
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47 **ORDER RE ADEQUATE PROTECTION**
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49 Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the
50 above-entitled Court, all appearances as noted on court record, and based upon all the papers and
51 pleadings on file herein and good cause appearing therefor,
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IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the post-petition arrearages currently due as follows:

4 Monthly Payments at \$1,032.11	\$ 4,128.44
(June 1, 2009-August 1, 2009)	
4 Late Charges at \$42.96 each	\$ 171.84
(June 16, 2009-July 16, 2009)	
Motion for Relief filing fee	\$ 150.00
Attorney Fees Due	\$ 750.00
Total amount due	\$ 5,028.44

The above arrearage shall be paid in five (5) monthly installments of \$ 838.07 and one (1) final installment of \$838.09. These payments shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month commencing with the October 20, 2009 payment and continuing throughout and concluding on or before March 20, 2010.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least five business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning with the October 1, 2009 , payment, on Secured Creditor's Trust obligation, encumbering the subject Property, generally described as 1613 Cardinal Bluff Drive #201, Las Vegas, NV 89128, and legally described as follows:

PARCEL ONE (1):

An undivided 1/72 interest as tenant in common-in- and to Phase 7 of Amended Final Map of RED HILLS AT THE PUEBLO, as shown by map thereof in file in Book 81 of Plats, Page 12, in the Office of the County Recorder of Clark County, Nevada.

Excepting therefrom the following all units in all Residential Buildings and Designated Exclusive Use Easements as shown on the Condominium plat referred to above.

And reserving therefrom, the right to possession of all those areas designated as Exclusive Use Easements shown upon the Plat referred to above.

And further reserving therefrom for the benefit of owners in future development, non-exclusive easements on, over and under the Common Area as defined and shown upon the Condominium Plat referred to above for ingress, egress and recreational use, subject to the terms and as more particularly set forth in the Master Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for SUMMERLIN COMMUNITY ASSOCIATION, recorded September 25, 1990 in Book 900925 as Document No. 01274, also Amended and Restated Declaration of Covenants, Conditions, Restrictions and reservation of

1 easements for Summerlin North Community Association Recorded august 15, 1997 in Book 970815 as
2 Instrument/File No. 00692, and further set forth in the Declaration of Covenants, Conditions and
3 Restrictions and Reservation of Easements for RED HILLS CONDOMINIUMS, recorded June 18, 1996
4 in Book 960618 as Instrument/File No. 00136, as the same maybe amended and/or
supplemented, of Official Records, excepting from the Common Area, any Residential Buildings
therefrom and any portion thereof which is designated as Exclusive Use Easements.

5 **PARCEL TWO (2):**

6 Living Unit 3932 in Building 39 of AMENDED FINAL MAP OF RED HILLS AT THE PUEBLO, as
7 shown by map thereof on file in Book 81 of Plats, Page 12, the Office of the County Recorder of Clark
County, Nevada, together with the garage appurtenant to said Unit as defined in Sections 1.16 and 4.04 of
the Covenants, Conditions, and Restrictions and Reservation of Easements for RED HILLS
CONDOMINIUMS.

8 **PARCEL THREE (3):**

9 A non-exclusive easement for ingress, egress and recreational use, over and under the Common Areas and
10 Private Streets of RED HILLS AT THE PUEBLO, as shown by map thereof on file in Book 81 of Plats,
Page 12, in the Office of the County Recorder of Clark County, Nevada, and future Units, which easement
is appurtenant to Parcels One (1) and Two (2) described above.

11 **PARCEL FOUR (4):**

12 An exclusive easement appurtenant to Parcels One (1) and Two (2) described above, over areas defined
and described as Limited Common Elements in the Declaration and as shown and assigned on said Map.

13 **IT IS FURTHER ORDERED, ADJUDGED and DECREED** that if the Debtors fail to make any
14 payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's
15 Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon
16 Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such
17 Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by
18 the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the
19 delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to
20 Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the
21 subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete
22 possession thereof.

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24 Submitted by:

25 **WILDE & ASSOCIATES**

1 By S/GREGORY L. WILDE
2 **GREGORY L. WILDE, ESQ.**
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6 APPROVED AS TO FORM & CONTENT:

7 Rick A. Yarnall

8 By WCatt 10-28-09

9 Rick A. Yarnall,
10 Chapter 13 Trustee
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Randal R. Leonard

By Randal R. Leonard

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